

**CITY OF ROCKLIN
MINUTES OF THE PLANNING COMMISSION MEETING**

**January 17, 2006
Rocklin Council Chambers
Rocklin Administration Building
3970 Rocklin Road
(www.ci.rocklin.ca.us)**

1. Meeting Called to Order at 6:30 p.m.

2. Pledge of Allegiance was lead by Commissioner Coleman.

3. Roll Call

Commissioner Shirhall, Chairman
Commissioner Sully, Vice Chairman
Commissioner Coleman
Commissioner Menth, *absent w/cause*
Commissioner Weibert

Others Present:

Sherri Abbas, Planning Services Manager
Russell Hildebrand, City Attorney
Terry Stemple, Planning Commission Secretary

About 10 others

4. Election of Officers

On a motion by Commissioner Coleman and seconded by Commissioner Shirhall, Commissioner Sully was elected to Chairman of the Planning Commission.

On a motion by Commissioner Shirhall and seconded by Commissioner Sully, Commissioner Coleman was elected to Vice Chairman of the Planning Commission.

The Commission took a 2 minute break at 6:33 and reconvened at 6:35 p.m.

5. Minutes - *None*

6. Correspondence - *None*

7. Citizens Addressing the Commission on Non Agenda Items - *None*

Scheduled Items:

**8. CELL MARQUE CORPORATION
APPEAL OF LAND USE DETERMINATION**

The applicant is appealing staff's denial to allow the applicant, Cell Marque Corporation, to be considered a permitted use (an office, clinic, or financial institution) under the provisions of Ordinance 853, Rock 8 General Development Plan. The Cell Marque Corporation is proposed to be located at 6600 Sierra College Boulevard (on the corner of Nightwatch Drive and Sierra College Boulevard).



Sherri Abbas presented the staff report.

The Commission had questions for Staff regarding the following:

1. What would the description of neighborhood oriented services be;
2. Would a Uni-Lab type business be considered a neighborhood oriented service;
3. Which building is proposed to be occupied by Cell Marque;
4. Parking requirements;
5. The types of other uses already in complex.

Marcus LoDuca, attorney for applicant addressed the Commission. He gave an overview of the company explaining how they work and what they do.

The Commission had questions for the Applicant regarding the following:

1. Does Cell Marque manufacture anything;
2. Why is Cell Marque looking at this type office vs. light industrial;
3. Definition of "clinic";
4. Is there any assembly of kits;
5. What is a reagent;
6. Are the reagents toxic;
7. Quantity of reagent stored on site;
8. Other uses in the vicinity;
9. Explanation of buffer storage;
10. Refrigerated products in mailroom;
11. Explanation of what is mixed together;
12. What are the buffers;
13. Use of any acids;
14. Source of antibodies;
15. FDA inspections;
16. Ownership of building.

The Commission had additional questions for Staff regarding:

1. Any concerns from Staff regarding use of chemicals or storage of products;
2. Applicant's explanation of business type misunderstanding;

The hearing was opened to the public for their comments.

Norman Plotkin, Galaxy Lane, Rocklin, CA, stated he did some research on Cell Marque and does not want it going into this center. He commended Staff on their report and findings and urged the Commission to uphold the denial.

The Commission asked Mr. Plotkin what type of businesses he would like to see in the complex.

Steve Harper, 6561 Nebula Ct., Rocklin, CA, stated he is not sure he is against the business and wanted more explanation of the business and the possible dangers. He stated he is representing 6 neighbors on Nebula Court and suggested having the company researched more in depth and reports provided from the FDA and EPA.

Craig Barker 4694 Kilmarten Court, Rocklin, CA, stated he went to the original project meetings and is very impressed with the project. His concerns included a school being located ¼ mile from the site and is not in favor of the business.

There being no further testimony, the hearing was closed.



Marcus LoDuca was asked to come back to the podium to address some of the issues.

Dr. Lacy, Cell Marque Corporation, addressed the concerns raised by the citizens regarding safety. He stated that most garages and/or kitchens have more toxic items in them than Cell Marque's office.

The Commission had questions for Dr. Lacy regarding the following:

1. FDA requirements;
2. FDA inspections;
3. Frequency of inspections;
4. Contents of containers waiting for the annual disposal service.

Commissioner Coleman stated that he thought they had a use issue, but with the discussions tonight, there is a lot of gray area. He is not sure that the information he has in front of him has sufficient evidence to allow him to draw a conclusion one way or another whether it is safe or unsafe. He stated that he has moved from a use issue, to a safety issue, but would like to hear what the other Commissioners have to say before he makes his decision.

Commissioner Shirhall stated that there are two different issues here. One being the determination made by staff regarding the use and the other the safety issue. He stated he is comfortable with Staff's opinion and position as well as the report put together by Cell Marque. The issue comes back to the neighborhood oriented uses outlined in Ordinance 853. He feels it is a good business with low intensity use making it good for the neighborhood with little traffic and lack of noise. He is comfortable with the use and would support the project.

Commissioner Weibert thinks the business is good and the company is good, however feels the location is wrong for this business. She would support upholding Staff's denial.

Commissioner Sully stated she had exparte communications with Marcus LoDuca. She went to the site and noted that most of the businesses that have gone in are not in line with Ordinance 853. She does not have any issues with safety. She feels that this is not necessarily what was projected for this center, but has no problem with this use.

Commissioner Coleman listened to his fellow Commissioners and reviewed his notes, findings and concerns. He stated that he got sidetracked with definitions which caused more concern than needed. He is ok with the use and has no safety issues. He would vote to approve the project.

Commissioner Shirhall commented that he also had exparte communications with the applicant.

There was a consensus to allow Cell Marque as a permitted use.

Commissioner Shirhall made a motion and Commissioner Coleman seconded the motion to grant the appeal to Cell Marque Corporation.

Vote:

AYES:	Commissioners Sully, Coleman, & Shirhall
NOES:	Commissioner Weibert
ABSENT:	Commissioner Menth
ABSTAIN:	None

Motion carried: 3/1

9. Discussion Items

1. Graffiti on the American Furniture building facing Hwy 65;



2. Banner signs on the back of the American Furniture building;
3. When is Five Star is going to come back with their parking lot;
4. Clover Valley Draft EIR hearing date confirmation of 2/23/06;
5. Status of the U-Haul trucks at the corner gas station;
6. Construction behind JD's Coffee Shop along the railroad tracks.

10. Adjournment

There being no further business brought before the Commission, the meeting was adjourned at 7:50 p.m.

Respectfully submitted,

Terry Stemple
Planning Commission Secretary

*Approved at the regularly scheduled
Meeting of February 21, 2006*

